

RESPONSE UNDER 37 C.F.R. § 1.111
U.S. Appln. No. 09/887,153

of selecting a “preferred” mobile terminal operating mode for implementing a service by incorporating a preferred mode selection instruction in a sequence of instructions.

The Examiner has agreed that Shachar fails to teach or suggest the recited step of selecting a preferred mobile terminal operating mode for implementing a service by incorporating a preferred mode selection instruction in the sequence of instruction. However, the Examiner has asserted that Seppanen teaches the feature that Shachar lacks. The Examiner then combines Shachar and Seppanen, and rejects the claims. Applicants respectfully disagree, and assert that the Examiner’s combination of the prior art is improper.

The goal of Shachar is to provide a low-cost device for providing on-line service to the general public without a need for computer literacy. The integrated telephone device of Shachar can switch to a data communication mode when a user selects a hyperlink. To achieve its goal, Shachar needs to solve the problem of switching between a data communication network 122, employing hypertext documents, and a voice communication network 126. Accordingly, a hyperlink markup language interpreter is used.

On the other hand, Seppanen provides a method of prioritizing and selecting between available cellular radiotelephone systems, e.g., public, private and residential networks. A mobile station maintains a single, prioritized list of all available networks. Access to the various networks is based on the user’s needs, and includes automatic access, user-specified network, and user-specified service (Seppanen, col. 3, lines 56-64). Seppanen relates to switching among a number of cellular radiotelephone systems, which involves network registration and authentication.

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Accordingly, Shachar and Seppanen have different goals, and solve different problems. Further, in Shachar, a user will select a hyperlink and switch to the data communication network only if the user is interested in the service related to the hyperlink. Shachar does not need the automatic network selection disclosed in Seppanen. Consequently, there would be no reason for a skilled artisan to combine the two references, as the Examiner has suggested. Thus, Applicants respectfully submit that the Examiner's combination of the references is improper.

In addition, even if one skilled artisan were to combine the teachings of Shachar, with that taught by Seppanen, the combination would not result in Applicants' claimed invention.

The preferred mobile terminal operating mode recited in claim 1 is selected from the telephone call mode and the navigator mode. Seppanen teaches no such selection. Further, the mode selection according to claim 1 is accomplished by incorporating a preferred mode selection instruction into the sequence of instructions used to format the service data page which gives access to a service. However, Seppanen only teaches selecting between available cellular radiotelephone systems. Thus, Seppanen fails to teach or suggest selecting from the telephone call mode and the navigator mode, as recited in claim 1, and does not supply any of Shachar's deficiencies.

As Applicants presented in the Amendment dated April 30, 2004, Lee is related to a client-server method and system where various clients that use different markup languages may use the same server. Lee does not supply any of the deficiencies of Shachar or Seppanen.

Accordingly, Applicants respectfully submit that claims 1, 2-6 and 7 are patentable.

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According to claim 7, the mobile phone does not leave the preferred mobile terminal operating mode during implementing of the service related to the other operating mode. However, in Shachar, when the integrated telephone performs the data communication functions, it must leave telephone mode. Similarly, in Seppanen, the cellular phone can operate in only one cellular radiotelephone system at one moment. Thus, neither of the references teaches or suggests the recited feature of claim 7, and claim 7 is patentable for this additional reason.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

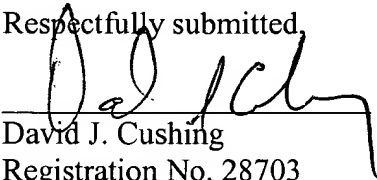
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